

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

SUMMONS FOR JUDGMENT NO. 607 OF 2005

IN

SUIT NO. 2644 OF 1986

Vishwanath Mehra	Plffs.
VS.	
Medley Laboratories	Defnds.

Milind Shewale i/by. Ghanekar and Co.
for the plaintiffs.
S. Purohit i.by. M & M Legal Venture
for the defendants.

CORAM: S.U. KAMDAR, J.

DATE : 27th February, 2006.

P.C. :.

1. The present suit is filed for the recovery of sum of Rs.50,272.60/- in respect of various bills for the goods sold and delivered.
2. Particulars of claim Exhibit-K indicates that

all the bills are prior to 15.12.1982 whereas the present suit is filed only on 23.12.1985 when the suit has been verified. In the light of the aforesaid ex-facie the claim is barred by the law of limitation.

3. In view thereof unconditional leave to defend is granted to the defendants. Suit is transferred to the list of Commercial Causes. Written statement or points of defence to be filed four weeks thereafter. Affidavits, list of documents to be filed within four weeks thereafter. Inspection within four weeks thereafter. Suit to be on board of the learned Judge taking Commercial Causes.

4. Summons for Judgment dismissed.
